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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/825,638	04/04/2001	Timothy B. Robinson	42148/RJP/E264	3819
23363	7590	07/22/2005	EXAMINER	
CHRISTIE, PARKER & HALE, LLP			BHANDARI, PUNEET	
PO BOX 7068			ART UNIT	
PASADENA, CA 91109-7068			PAPER NUMBER	
			2666	

DATE MAILED: 07/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/825,638	Applicant(s) ROBINSON ET AL.	
	Examiner Puneet Bhandari	Art Unit 2666	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 5/16/2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 May 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims **1-10** are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Conroy et al. (US 6,459,684).

Regarding claim **1**, a method of noise reduction for a transceiver transmitting frames over a transmission medium in a frame-based communication network is anticipated by *"method for echo cancellation in ADSL system"* disclosed in column 9, lines 52-53; comprising:

Providing a transceiver transmit path is anticipated by *"transmit path"* disclosed in column 8, lines 27; and providing a transceiver receive path is anticipated by *"receive path"* disclosed in column 8, lines 28;

Locating a blocking switch in the transceiver transit path is anticipated by *"switch 602"* disclosed in Fig 6A or column 8, lines 33; the blocking switch allowing transmit signal propagation when enabled is anticipated by *"when the switch 602 is closed upstream data communication stream is sent"* disclosed in column 8, lines 33-37, while preventing both transmit signal propagation and circuit device noise (*echo*) coupling

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from the transceiver transmit path to the transceiver receive path when the blocking switch is disabled is anticipated by *"when the switch 602 is open it prevents the echo from coupling from transceiver transmit path to the transceiver receive path"* disclosed in Fig 6A.

Disabling the blocking switch when the transceiver transmit path is not transmitting frames over the frame based communications network is anticipated by *"when switch 602 is open no data is transmitted over the ADSL line"* disclosed in Fig 6A.

Regarding claim 2, wherein the circuit device noise coupling from the transceiver transmit path to the transceiver receive path is through a transformer providing conversion from four wire transmit receive lines to a two wire line anticipated by *"Hybrid block"* disclosed in Fig 6A.

Regarding claim 3, wherein the blocking switching is located proximate to the transmission medium is anticipated by *"switch 602"* disclosed in Fig.6A.

Regarding claim 4, wherein the transmission medium is a twisted pair wire is anticipated by *"line 110"* disclosed in column 1, line 43.

Regarding claim 5, wherein the twisted pair wire is a telephone line is anticipated by *"telephone line 110"* disclosed in column 1, line 43.

Regarding claim 6, a switch apparatus for noise reduction for a transceiver transmitting frames over a transmission medium in a frame-based communication network is anticipated by *"method for echo cancellation in ADSL system"* disclosed in column 9, lines 52-53; comprising:

The transceiver having a transceiver transmit path is anticipated by *"transmit path"* disclosed in column 8, lines 27; and providing a transceiver receive path is anticipated by *"receive path"* disclosed in column 8, lines 28;

A blocking switch locatable in the transceiver transit path is anticipated by *"switch 602"* disclosed in Fig 6A or column 8, lines 33; the blocking switch having a input port is anticipated by *"input to switch 602"* disclosed in Fig 6A and a output port *"output from switch 602"* disclosed in Fig 6A allowing transmit signal propagation through the blocking switch and along the transceiver transmit path when enabled is anticipated by *"when the switch 602 is closed upstream data communication stream is sent"* disclosed in column 8, lines 33-37, blocking switch further including enable/disable control to disable the blocking switch when the transceiver transmit path is not transmitting frames over the frame-based communications network is anticipated by *"closed and open positions of the switch 602 for transmitting data over ADSL Line"* disclosed in Fig 6A; preventing both transmit signal propagation and circuit device noise (*echo*) coupling from the transceiver transmit path to the transceiver receive path is anticipated by *"when the switch 602 is open it prevents the echo from coupling from transceiver transmit path to the transceiver receive path"* disclosed in Fig 6A.

Regarding claim 7, wherein the circuit device noise coupling from the transceiver transmit path to the transceiver receive path is through a transformer providing conversion from four wire transmit receive lines to a two wire line anticipated by *"Hybrid block"* disclosed in Fig 6A.

Regarding claim 8, wherein the blocking switching is located proximate to the transmission medium is anticipated by "*switch 602*" disclosed in Fig.6A.

Regarding claim 9, wherein the transmission medium is a twisted pair wire is anticipated by "*line 110*" disclosed in column 1, line 43.

Regarding claim 10, wherein the twisted pair wire is a telephone line is anticipated by "*telephone line 110*" disclosed in column 1, line 43.

Response to Arguments

3. Applicant's arguments filed 05/16/2005 have been fully considered but they are not persuasive.

Regarding claim 1, Applicant argues that the switch 602 of Conroy when disabled has no impact on the transmit path of Conroy which is then controlled by a second switch 604. These contentions are noted. However, Fig .6B of Conroy teaches that initially both switches 602 and 604 are disabled (blocking switch is disabled) hence preventing both transmit signal propagation and circuit device noise coupling from the transceiver transmit path to the transceiver receive path also disclosed in column 8, lines 55-65. It is held that these teachings anticipate the limitation of claim 1.

Regarding claim 2, Applicant argues that the Hybrid block 620 is distinct from a transformer. These contentions are noted. Conroy teaches that Hybrid is connected to the ADSL line through a transformer disclosed in column 2, lines 33-35. Although a transformer is not distinctively shown in Fig 6A, it can be implied that the transformer is a part of hybrid block 620 in order to connect to any DSL line. It is held that these teachings anticipate the limitation of claim 1.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Puneet Bhandari whose telephone number is 571-272-2057. The examiner can normally be reached on 9.00 AM To 5.30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on 571-272-3174. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PB

Puneet Bhandari
Examiner
Art Unit 2666

Seema S. Rao
SEEMA S. RAO 7/21/05
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600